



DAN MORALES
ATTORNEY GENERAL

Office of the Attorney General
State of Texas

January 24, 1991

Mr. James L. Crouch
Executive Director
Public Utility Commission of Texas
7800 Shoal Creek Boulevard, Suite 400N
Austin, Texas 78757

OR91-057

Dear Mr. Crouch:


You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 11141.

The Public Utility Commission of Texas (the commission) received an open records request from a former employee for the personnel files of three of her former co-workers. You contend that the requested information comes under the protection of section 3(a)(3) of the Open Records Act.

You state that the requestor has filed a formal complaint against the commission with the Texas Commission on Human Rights alleging discrimination on the basis of retaliation and that the requestor has threatened to take legal action against the commission with regard to this matter. The principles discussed in a previous determination of this office, Open Records Decision No. 281 (1981), a copy of which is enclosed, resolves your request. The requested information "relates" to "reasonably anticipated litigation," see V.T.C.S. art. 6252-17a, § 3(a)(3), and may therefore be withheld at this time.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-057.

Yours very truly,


Rick Gilpin
Assistant Attorney General
Opinion Committee

RWP/le

Ref.: ID# 11141

Enclosure: Open Records Decision No. 281

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cc: Sharon F. Blythe
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